

## **REMARKS**

The Examiner is thanked for the current Office Action. Claims 1 and 21-41 are currently pending in the application. Please consider the following remarks.

### **Drawings**

Formal drawings will be submitted after the receipt of the Notice of Allowance.

### **The Rejections under 35 U.S.C. 103(a)**

Claims 1 and 21-41 were rejected under 35 U.S.C. § 103(a) over Barrett et al. (U.S. Patent No. 5,568,612; hereafter "Barrett") in view of Doyle et al. (U.S. Patent No. 5,838,906; hereafter "Doyle").

### **The Cited Art**

Barrett relates generally to a circuit board which is coupled to a local area network peripheral (e.g. a printer) and which allows the peripheral to be an intelligent, interactive network member eliminating the necessity of dedicating a personal computer to manage the peripheral. More particularly, the Barrett relates to such a circuit board in which two network servers are multitasked for concurrent execution, such as a print server and a communications socket server, and in which the services of both network servers may be "advertised" from a single network node.

Doyle teaches a system allowing a user of a browser program on a computer connected to an open distributed hypermedia system to access and execute an embedded program object. The program object is embedded into a hypermedia document much like data objects. The user may select the program object from the screen. Once selected the program object executes on the user's (client) computer or may execute on a remote server or additional remote computers in a

distributed processing arrangement. After launching the program object, the user is able to interact with the object as the invention provides for ongoing inter-process communication between the application object (program) and the browser program.

### **The Cited Art Distinguished**

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. 103(a) in view of the cited art. The independent claims have been amended for clarification purposes only and in order to expedite the prosecution of the present invention, and not because Applicant believes that the claims, as presented, are not patentable over the cited art. Applicant reserves the right to reintroduce the claims, and claims of similar scope, in continuing applications.

Applicant again fails to see how the Examiner has created an even *prima facie* case of obviousness when combining the teachings of Barrett and Doyle. With respect to independent claim 1, neither Barrett nor Doyle teach a plurality of host computers connected to a network, each of which is being capable of being remotely controlled by a client computer. Neither Barrett nor Doyle teach an advertising publisher computer connected to the network which received advertising information about the availability or capacity of the plurality of host computers. Finally, neither Barrett nor Doyle teach a client computer which takes over the functionality of a selected host computer. With respect to independent claim 32, neither Barrett nor Doyle teach a method for choosing a host machine including providing advertisement information about a plurality of host computer to an advertising machine coupled to a network including availability information and compatibility information. Neither Barrett nor Doyle teach that the advertiser machine can be searched by a client computer to find a suitable host computer for the client computer. Neither Barrett nor Doyle teach the connection of the client computer and the host computer to control the functionality of the host computer. Finally, with respect to independent claim 37, neither Barrett nor Doyle teach providing an advertising machine connected to a network, providing a list of available host computer connected to the network on the advertising machine, and servicing requests for the list of available host computers to client machines coupled to the network. Without a showing of the elements of

Applicant's claims even in the combination of references, it is difficult to see how an obviousness rejection can be maintained.

With respect to claim 1, the Examiner asserts that Barrett shows a system for "accessing" a computer over a TCP/IP protocol network. It is not quite understood how this is relevant, as Applicant is not claiming TCP/IP protocol networks, all of which are used to "access" computers. Further the Examiner asserts that Barrett shows an advertising publisher connected the network. This is clearly incorrect. Perhaps the best example can be seen in Figs. 1 and 11, wherein an NEB 2 connects a printer 4 to a LAN bus 6. As noted in column 29, lines 30+:

"Ordinarily, NEB 2 is configured to communicate to a single network operating system, but it may also be configured to operate in a multiprotocol network environment, for example a combined Novell/UNIX multiprotocol network environment. In this configuration, NEB 2 includes a Novel compatible peripheral server...as well as a UNIX compatible peripheral server..."

We are clearly talking apples and oranges here. If NEB 2 were considered to be an "advertising publisher computer", it certainly does not "receive advertising information about at least the availability and capacity of a plurality of host computers." As the Examiner admits in the Office Action, Barrett does not even teach host computers as claimed by Applicant. At best, NEB2 would "advertise" the availability of multiple items coupled to the network node, such as the services of a print server and a socket server. This is completely different from the claim elements presented by Applicant. The "clients" referred to by the Examiner are not clients at all in the sense of Applicant's invention but, rather, devices such as the print server and the socket server.

Doyle does not cure the deficiencies of Barrett with respect to showing the claim elements of Applicant's claim 1. Doyle in no way shows a client computer connected to a network and *controlling the functionality* of a host computer coupled to the network. Doyle certainly does not even remotely suggest an advertising publisher coupled to the network to provide information to the client computer to aid in the selection of a suitable host computer. At best, Doyle teaches the distributed computing of program objects, which is distinctly different from the claimed invention.

The claims dependent upon claim 1 are patentable over the combination of Barrett and Doyle for at least the same reasons as set forth with respect to claim 1. Further, Applicant traverses many of the assertions made by the Examiner. For example, Column 12, Table 2, shows the functions, implementations, and operation notes for the customized software developed for the NEB, not "a list of available host computers" as asserted by the Examiner. Applicant therefore respectfully requests reconsideration by the Examiner and a withdrawal of the rejections of claim 1 and the claims dependent thereupon.

Applicant traverses the rejection of independent claim 32 and the claims dependent thereupon for substantially the same reasons as set forth above with respect to claim 1. Neither of the cited references show or describe the Applicant's individual claim operations, let alone the claimed process. Applicant therefore respectfully requests reconsideration by the Examiner and a withdrawal of the rejections of claim 32 and the claims dependent thereupon.

Finally, Applicant traverses the rejection of independent claim 37 and the claims thereupon, again for similar reasons set forth above. Nowhere does the prior art teach an advertising machine connected to a network which stores a list of available host computer, such that a client machine coupled to the network may select a suitable host computer such that it can control the functionality of the host computer over the network. Applicant therefore further respectfully requests reconsideration by the Examiner and a withdrawal of the rejections of independent claim 37 and the claims dependent thereupon.

### **Summary**

Independent claims 1, 32, and 37 are clearly patentable over the combination of Barrett and Doyle. The remaining claims are dependent, directly or indirectly, on one of the independent claims 1, 32, or 37, and are believed to be patentable over the cited art for at least the same reasons as with respect to the independent claims. Applicant respectfully requests that the rejections under 35 U.S.C. 103 of claims 1 and 21-41 be withdrawn, and an early Notice of Allowance be issued by the Examiner.

It is noted that this application has been pending for over 4-1/2 years, and Applicant respectfully submits that it is time for a favorable decision by the Examiner, or at least a presentation of prior art that is more related to the claimed invention. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at the telephone number set forth below.

Respectfully submitted,  
Oppenheimer Wolff & Donnelly LLP

A handwritten signature in black ink, appearing to read 'P. L. Hickman', with a long horizontal flourish extending to the right.

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## Appendix A

### All Pending Claims With Markings to Show Changes in this Current Amendment C

1. (twice amended) A system for accessing a computer over a TCP/IP protocol network comprising:

[at least one] a plurality of host computers connected to a TCP/IP protocol network, each of said host computers being capable of being remotely controlled by a client computer;

an advertising publisher computer connected to said network which receives advertising information about at least the availability and [a] capacity of [a] said plurality of host computers on said network; and

a client computer connected to said network operable to receive said advertising information about said at least one host computer from said publisher computer and to display said advertising information on a display of said client computer to allow a selection of a host computer among said plurality of host computers, and remote control information enabling said client computer to control a selected host computer over said network such that input events to said client computer become input events to said selected host computer and such that video output information of said selected host computer become video output information of said client computer.

21. (once amended) [An apparatus for remotely controlling a computer as recited] A system for accessing a computer over a TCP/IP protocol network as claimed in claim 1 wherein said network is the Internet.

22. (once amended) A system for accessing a computer over a TCP/IP protocol network as claimed in claim 1 wherein said advertising publisher computer is operative to make advertising information about said at least one host computer accessible to said client computer.

23. A system for accessing a computer over a TCP/IP protocol network as claimed in claim 22 wherein said advertising publisher computer creates a list of available host computers.

24. A system for accessing a computer over a TCP/IP protocol network as claimed in claim 23 wherein said advertising publisher computer provides said advertising information of said at least one host computer on a browsing web page, where a client computer may browse through said advertising information on said browsing web page and select a suitable host computer.

25. A system for accessing a computer over a TCP/IP protocol network as claimed in claim 23 wherein said advertising information may be received by said advertisement publisher computer through a posting web page.

26. A system for accessing a computer over a TCP/IP protocol network as claimed in claim 23 wherein said advertising information for said at least one host computer includes information about the poster of said host computer, password information for said host computer, and collaboration information for said host computer.

27. (once amended) A system for accessing a computer over a TCP/IP protocol network as claimed in claim 1 wherein said at least one host computer provides said advertising publisher computer with said advertising information.

28. (once amended) [An apparatus for remotely controlling a computer as recited] A system for accessing a computer over a TCP/IP protocol network as claimed in claim 27 wherein said at least one advertiser computer provides a first web page having only HTML code to said advertising publisher and a second web page having HTML code and JAVA code to said advertising publisher computer, said first web page having a link to said second web page and said publisher computer operable to provide said first and second web page to said client computer.

29. A system for accessing a computer over a TCP/IP protocol network as claimed in claim 27 wherein said advertising information is electronically mailed to said advertising publisher computer.

30. A system for accessing a computer over a TCP/IP protocol network as recited in claim 27 wherein said advertising information is provided to said advertising publisher computer through said advertising publisher's web page.

31. A system for accessing a computer over a TCP/IP protocol network as claimed in claim 27 wherein said advertising information includes information allowing said client computer to establish a connection with said host computer.

32. (once amended) A method for choosing a host machine coupled to a wide area network comprising:

providing advertisement information about a plurality of host computers connected to a wide area network to an advertisement machine connected to said wide area network, said advertisement information including availability information and [compatability] compatibility information about said plurality of host computers;

searching said advertiser machine by a client computer connected to the wide area network to find a suitable host computer for said client computer;

sending selection information from said client computer to said advertiser machine, and receiving of said client computer connection information from said advertiser machine for a selected host computer; and

establishing a connection between said client computer and said suitable host computer such that said client computer controls the functionality of said suitable host computer wherein input events to said client computer become input events to said suitable host computer and such that video output information of said suitable host computer becomes video output information of said client computer.

33. A method for choosing a host machine coupled to a wide area network as claimed in claim 32 wherein said advertisement information provided to said advertisement machine is provided by said host computer.

34. A method for choosing a host machine coupled to a wide area network as claimed in claim 32 wherein searching said advertiser machine for a suitable host computer includes selecting a host computer from a list of host computers provided by said advertising machine.

35. A method for choosing a host machine coupled to a wide area network as claimed in claim 32 wherein said connection information provided to said client computer includes a URL address.



36. A computer readable media having program instructions implementing the method of claim 32.

37. (once amended) A method of providing an advertising machine capable of advertising available host machines over a wide area network comprising:

providing an advertising machine connected to a network;

providing a list of available host computers connected to said network on said advertising machine; and

servicing a request[s] for said list of available host computers to a client machine[s] coupled to said network, such that said client machine may connect to a host computer selected from said list, whereby said client machine can control the functionality of said host computer over said network.

38. A method of providing an advertising machine capable of advertising available host machines over a wide area network as claimed in claim 37 wherein said advertising information received by said advertising machine is provided by said host computers.

39. A method of providing an advertising machine capable of advertising available host machines over a wide area network as claimed in claim 38 wherein said advertising information received by said advertising machine includes connection information for said host computer, said connection information allowing said host computer to be accessed over a TCP/IP protocol network.

40. A method of providing an advertising machine capable of advertising available host machines over a wide area network as claimed in claim 37 wherein providing information about said available host computers includes creating a web page having said advertising information for said host computers.

41. A computer readable media having program instructions implementing the method of claim 37.